



Office of the City Clerk-Treasurer
301 W. Chestnut
Rogers, Arkansas 72756
479-621-1117 · (Fax) 479-936-5401

www.rogersar.gov

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: PEGGY DAVID, CITY CLERK-TREASURER

DATE: February 8, 2018

Due to the *State of City Address* scheduled for **6:00 p.m.** the following committee meetings will be held on **Tuesday, February 13, 2018** prior to the City Council meeting:

5:30 p.m. – COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Carmichael, Townzen, and Hayes) **Committee Room #1**

To Discuss: (a) An Ordinance Amending Certain Provisions of Chapter 44 of the Code of Ordinances, City of Rogers, AR; To Allow the Planning Commission to Deviate From the Provisions of the Sign Code Under Certain Circumstances; To Create an Historic Signs Register

5:45 p.m. - TRANSPORTATION COMMITTEE: (Kruger, Townzen and Carmichael)
Committee Room #1

To Discuss: (a) Request from Susan G. Komen Ozark Affiliate to Close Streets for the Komen Ozark Race for the Cure on Saturday, April 28, 2018

(b) Discuss Status of Arkansas Arts Academy Street Closure

(c) An Ordinance Waiving Competitive Bidding for the Purchase of a Sensor VantageRadius System for Use by the Rogers Street Department

(d) A Resolution Authorizing the Purchase of a Sensor VantageRadius System for the Street Department; Amending the 2018 Budget to Appropriate Street Fund Reserves in the Amount of \$325,630.00 to Acct. #200-16-70930

(e) A Resolution Authorizing the Purchase of a Dozer for the Street Department; Amending the 2018 Budget to Appropriate Street Fund Reserves in the Amount of \$153,223.00 to Acct. #200-18-80100

(f) An Ordinance Accepting the Dedication of S. 54th Street and Easements Therein

(g) A Resolution Scheduling a Hearing Concerning the Vacation of a Certain Portion of Pecan Street; Directing Notice of the Hearing



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ROGERS-LOWELL AREA CHAMBER OF COMMERCE
RECEPTION IN CITY HALL LOBBY
5:00 P.M. TO 6:00 P.M.

6:00 P.M. - STATE OF THE CITY ADDRESS – Mayor Greg Hines
(In the Council Chambers)

ROGERS CITY COUNCIL

AGENDA

FEBRUARY 13, 2018

6:30 P.M.

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES: January 23, 2018

REPORTS OF BOARDS AND STANDING COMMITTEES:

- 1. ORD. Re: Waiving Competitive Bidding for the Purchase of a Sensor VantageRadius System for Use by the Rogers Street Department - Transportation Committee
- 2. RES. Re: Authorizing the Purchase of a Sensor VantageRadius System for the Street Department; Amending the 2018 Budget to Appropriate Street Fund Reserves in the Amount of \$325,630.00 to Acct. #200-16-70930 - Transportation Committee

ROGERS CITY COUNCIL AGENDA

FEBRUARY 13, 2018

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3. RES. Re: Authorizing the Purchase of a Dozer for the Street Department; Amending the 2018 Budget to Appropriate Street Fund Reserves in the Amount of \$153,223.00 to Acct. #200-18-80100 - Transportation Committee
4. ORD. Re: Accepting the Dedication of South 54th Street and Easements Therein - Transportation Committee
5. RES. Re: Scheduling a Hearing Concerning the Vacation of a Certain Portion of Pecan Street; Directing Notice of the Hearing - Transportation Committee
6. ORD. Re: Amending Certain Provisions of Chapter 44 of the Code of Ordinances, City of Rogers, AR; To Allow the Planning Commission to Deviate From the Provisions of the Sign Code Under Certain Circumstances; To Create an Historic Signs Register - Community Environment & Welfare Committee

OLD BUSINESS:

NEW BUSINESS:

APPOINTMENTS:

ANNOUNCEMENTS:

AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF A SENSOR VANTAGERADIUS SYSTEM FOR USE BY THE ROGERS STREET DEPARTMENT; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, after experiencing technical difficulties with our traffic signals in inclement weather, it is necessary for the City to upgrade the system to maintain efficient and safe traffic conditions in all weather conditions; and

WHEREAS, Temple, Inc. of Decatur, AL is the only company that provides a device that meets the technological requirements for the functionality of the City of Rogers's needs;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: There exists an exceptional circumstance whereby the requirements of competitive bidding are neither practical nor feasible and the City Council, therefore, waives the requirements of competitive bidding for the purchase of a Sensor VantageRadius System for use by the Rogers Street Department;

Section 2 - Emergency Clause: The need to acquire quality Rogers Street Department is immediate and in order to protect the public peace, health, safety, and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Frankie Guyll
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Transportation Committee

A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A SENSOR VANTAGERADIUS SYSTEM FOR THE STREET DEPARTMENT; AMENDING THE 2018 BUDGET TO APPROPRIATE STREET FUND RESERVES IN THE AMOUNT OF THREE HUNDRED TWENTY-FIVE THOUSAND SIX HUNDRED THIRTY DOLLARS (\$325,630.00) TO ACCOUNT NUMBER 200-16-70930 TRAFFIC CONTROL MAINTENANCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Street Department needs a Sensor VantageRadius System for traffic control maintenance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: The Mayor or his duly-designated representative may purchase a Sensor VantageRadius System with a cost not to exceed three hundred and twenty-five thousand six hundred thirty dollars (\$325,630.00)

Section 2: The 2018 Budget is amended to appropriate three hundred twenty-five thousand six hundred thirty dollars (\$325,630.00) from Street Fund Reserves to Account Number 200-16-70930 Traffic Control Maintenance;

Section 3: Severability Provision- If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Resolutions- All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Frankie Gyll, Street Superintendent
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Transportation Committee

RESOLUTION NO. R-18-_____

A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE OF A DOZER FOR THE STREET DEPARTMENT; AMENDING THE 2018 BUDGET TO APPROPRIATE STREET FUND RESERVES IN THE AMOUNT OF ONE HUNDRED FIFTY-THREE THOUSAND TWO HUNDRED TWENTY-THREE DOLLARS (\$153,223.00) TO ACCOUNT NUMBER 200-16-80100; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers Street Department needs a Crawler Dozer 650K-II, it will be purchased by joint bid alliance group, and is not required to be competitively bid;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: The Mayor or his duly-designated representative may purchase a Dozer with cost not to exceed one hundred and fifty-three thousand two hundred twenty-three dollars (\$153,223.00);

Section 2: The 2018 Budget is amended to appropriate one hundred fifty-three thousand two hundred twenty-three dollars (\$153,223.00) from Street Fund Reserves to Account Number 200-16-80100 Capital Expenditures;

Section 3: Severability Provision- If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4: Repeal of Conflicting Resolutions- All resolutions or orders of the City Council or parts of resolutions or orders of the City Council that are in conflict with this Resolution are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Frankie Guyll, Street Superintendent
Prepared By: Jennifer Waymack, Senior Staff Attorney
For Consideration by the Transportation Committee

ORDINANCE NO. 18-_____

AN ORDINANCE ACCEPTING A STREET DEDICATION OF SOUTH 54TH STREET AND EASEMENTS THEREIN; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, Village on the Creeks and various property owners within Village on the Creeks wish to dedicate South 54th Street to the City for use as a public street;

WHEREAS, this public street will provide access to the location of the streambank restoration project and future park known as the Pinnacle Hills Open Space project;

WHEREAS, the legal description of the street to be dedicated as a right-of-way easement is as follows:

PROPERTY DESCRIPTION of RIGHT-OF-WAY EASEMENT:

Part of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section 17, Township 19 North, Range 30 West, Benton County, Arkansas, and being more particularly described as:

Commencing at the NE Corner of the SW ¼ of the SE ¼ of said Section 17, Thence N89°49'13"W 170.44 feet, Thence S00°10'47"W 50.23 feet to the Point of Beginning, Thence S09°14'30"W 0.99 feet, Thence along a curve to the left, said curve having a radius of 34.00 feet, an arc length of 52.36 feet, a central angle of 88°14'12" and a chord bearing and distance of S34°52'25"W 47.34 feet, Thence S09°14'30"E 864.02 feet, Thence along a curve to the left, said curve having a radius of 25.00 feet, an arc length of 18.17 feet, a central angle of 41°38'42" and a chord bearing and distance of S38°14'07"E 17.77 feet, Thence along a curve to the right, said curve having a radius of 40.00 feet, an arc length of 198.29 feet, and a central angle of 284°01'55", Thence along a curve to the left, said curve having a radius of 25.00 feet, an arc length of 18.17 feet, a central angle of 41°39'01", and a chord bearing and distance of N19°46'00"E 17.78 feet, Thence N09°14'30"W 869.56 feet, Thence along a curve to the left, said curve having a radius of 34.00 feet, an arc length of 48.59 feet, a central angle of 81°52'57", and a chord bearing and distance of N50°11'10"W 44.56 feet, Thence N09°14'30"W 1.02 feet to the South right-of-way line of Stoney Brook Road, Thence along said South right-of-way line and a curve to the left, said curve having a radius having a radius of 545.61 feet, an arc length of 94.42 feet, a central angle of 09°54'53", and a chord bearing and distance of N83°56'12"E 94.30 feet to the Point of Beginning, containing 34,615.39 square feet or 0.79 acres, more or less; and

WHEREAS, the replat of Village on the Creeks detailing the dedication of South 54th street is attached as Exhibit A;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: The City Council of the City of Rogers does hereby accept the dedication of South 54th Street as a public street; and

Section 2 Emergency Clause: For the reasons stated in this Ordinance, the need to accept the street dedication is immediate and in order to protect the public peace, health, safety, and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval.

PASSED this ____ day of _____, 2018.

APPROVED:

C. Greg Hines, Mayor

Attest:

Peggy David, City Clerk

Requested by: John McCurdy, Director of the Department of Community Development

Prepared by: Jennifer Waymack, Senior Staff Attorney

For Consideration by the Transportation Committee

RESOLUTION NO. R-18- ____

A RESOLUTION SCHEDULING A HEARING CONCERNING THE VACATION OF A CERTAIN PORTION OF PECAN STREET; DIRECTING NOTICE OF THE HEARING; AND FOR OTHER PURPOSES.

WHEREAS, the portion of Pecan Street lying between South 1st Street and South 2nd Street in the City of Rogers has been designated as a parking lot and secure area for the exclusive use of the Rogers Water Utilities (RWU), said part of Pecan Street having a legal description as follows:

All that part of Pecan Street between S 1st Street and S 2nd Street that lies between Block 1 and Block 8 of the J Wade Sikes Park Addition to the City of Rogers, Arkansas, being also described as: Beginning at the Southwest corner of Block 1 of the J Wade Sikes Park Addition; thence South 40 feet to the Northwest corner of Block 8 of the J Wade Sikes Park Addition; thence East 300 feet to the Northeast corner of said Block 8; thence North 40 feet to the Southeast corner of Block 1 of the J Wade Sikes Park Addition; thence West 300 feet to the Point of Beginning, containing 12,000 square feet, more or less;

WHEREAS, the management of RWU desires to update RWU's property records to reflect the proper designation of the above-referenced part of Pecan Street;

WHEREAS, pursuant to Section 14-521 of the Code of Ordinances of the City of Rogers, the Rogers Waterworks and Sewer Commission ("the Commission") has passed its Resolution No. 18-02, in which the Commission requests that the above-referenced part of Pecan Street be vacated in order to better provide for the public welfare, safety, comfort and convenience of the inhabitants of the City of Rogers; and

WHEREAS, it is the request of the Commission and the Director of the Department of Community Development of the City of Rogers that the above-referenced portion of Pecan Street be vacated.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: A hearing on the vacation of the portion of Pecan Street described herein is scheduled for and shall be held with the regularly scheduled City Council meeting on Tuesday, March 27, 2018;

Section 2: The City Clerk-Treasurer and Department of Community Development are hereby directed to publish and post notice as required under City of Rogers, Code of Ordinances, § 14-521;

Section 3 - Severability Provision: In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Resolution shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Resolution as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining

provisions of this Resolution shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 4 - Repeal of Conflicting Resolutions: All resolutions of the City Council, or parts of resolutions of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

RESOLVED this 13th day of February 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested by: Rogers Waterworks and Sewer Commission and Rogers Water Utilities
John McCurdy, Director of the Department of Community Development

Prepared by: Robert A. Frazier, Counsel for Rogers Waterworks and Sewer Commission and
Rogers Water Utilities
Jennifer Waymack, Senior Staff Attorney, City of Rogers

For Consideration by the Transportation Committee

AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF CHAPTER 44 OF THE CODE OF ORDINANCES, CITY OF ROGERS, ARKANSAS; TO ALLOW THE PLANNING COMMISSION TO DEVIATE FROM THE PROVISIONS OF THE SIGN CODE UNDER CERTAIN CIRCUMSTANCES; TO CREATE AN HISTORIC SIGNS REGISTER; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the unique qualities of the City of Rogers are enhanced by allowing for the erection of certain signs that are historical in nature, enhance public safety, enhance aesthetics, or otherwise establish and enhance the identity of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: Chapter 44 of the Code of Ordinances, City of Rogers, Arkansas is amended to add an additional section, 44-17 to read as shown in the attached Exhibit “A”;

Section 2: Chapter 44 of the Code of Ordinances, City of Rogers, Arkansas is amended to add an additional section, 44-18 to read as shown in the attached Exhibit “B”;

Section 3: Appendix B to the Code of Ordinances, City of Rogers, Arkansas is amended to add and authorize an additional fee to read as shown in the attached Exhibit “C”;

Section 4 – Emergency Clause: The need to amend the City Code to add Sections 44-17 and 44-18 is immediate and in order to protect the public peace, health, safety and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

Section 5 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 6 - Repeal of Conflicting Provisions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2018.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested by: John McCurdy, Director, Department of Community Development
Prepared by: Jennifer A. Waymack, Senior Staff Attorney
For Consideration by the Community Environment & Welfare Committee